

RESOLUTION NO. RS2018-1034 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Katina Williams against the Metropolitan Government in the amount of \$125,000.

On August 6, 2015, Ms. Williams tripped and fell on a raised portion of sidewalk at the intersection of 18th Avenue and Belcourt, resulting in a knee fracture. The raised portion appears to have been caused by tree roots. Public Works has since repaired this section of sidewalk.

Ms. Williams sought treatment for a medial tibial plateau fracture of her left knee. She has agreed to accept a total of \$125,000 in full settlement of this case, based upon \$60,879 for reimbursement of her medical expenses plus \$64,121 for pain and suffering.

The Department of Law recommends settlement of this claim for \$125,000. Because of the length of time assumed to have been required for the tree root to elevate the sidewalk portion, it is likely the Metropolitan Government would be deemed to have had constructive notice of the defect.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$125,000.